

# EXHIBIT 3

**From:** [Henk, Pete \(SHB\)](#)  
**To:** [Clayton Watkins](#); [Michelman, Scott \(SHB\)](#); [Stamps Todd, Britta N. \(SHB\)](#); [Chaney, Tanya \(SHB\)](#)  
**Cc:** [Karyn Meinke](#); [Judi Logan](#); [Lupita Rodriguez](#)  
**Subject:** RE: Texas v Sunrise, Cause No. D-1-GN-24-009589  
**Date:** Thursday, January 2, 2025 11:35:06 AM

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Sure.

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**From:** Clayton Watkins <Clayton.Watkins@oag.texas.gov>  
**Sent:** Thursday, January 2, 2025 11:34 AM  
**To:** Henk, Pete (SHB) <PHENK@shb.com>; Michelman, Scott (SHB) <MMICHELMAN@shb.com>; Stamps Todd, Britta N. (SHB) <BTODD@shb.com>; Chaney, Tanya (SHB) <tchaney@shb.com>  
**Cc:** Karyn Meinke <Karyn.Meinke@oag.texas.gov>; Judi Logan <Judi.Logan@oag.texas.gov>; Lupita Rodriguez <Lupita.Rodriguez@oag.texas.gov>  
**Subject:** RE: Texas v Sunrise, Cause No. D-1-GN-24-009589

## EXTERNAL

Sounds good to me, does having the call on Microsoft Teams work for you side?

Thanks,

**Clay Watkins**  
Assistant Attorney General  
Consumer Protection Division  
512.936.2042

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**From:** Henk, Pete (SHB) <[PHENK@shb.com](mailto:PHENK@shb.com)>  
**Sent:** Thursday, January 2, 2025 11:33 AM  
**To:** Clayton Watkins <[Clayton.Watkins@oag.texas.gov](mailto:Clayton.Watkins@oag.texas.gov)>; Michelman, Scott (SHB) <[MMICHELMAN@shb.com](mailto:MMICHELMAN@shb.com)>; Stamps Todd, Britta N. (SHB) <[BTODD@shb.com](mailto:BTODD@shb.com)>; Chaney, Tanya (SHB) <[tchaney@shb.com](mailto:tchaney@shb.com)>  
**Cc:** Karyn Meinke <[Karyn.Meinke@oag.texas.gov](mailto:Karyn.Meinke@oag.texas.gov)>; Judi Logan <[Judi.Logan@oag.texas.gov](mailto:Judi.Logan@oag.texas.gov)>; Lupita Rodriguez <[Lupita.Rodriguez@oag.texas.gov](mailto:Lupita.Rodriguez@oag.texas.gov)>  
**Subject:** RE: Texas v Sunrise, Cause No. D-1-GN-24-009589

Good morning, Clay. How about 4:00 this afternoon?

Pete

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**From:** Clayton Watkins <[Clayton.Watkins@oag.texas.gov](mailto:Clayton.Watkins@oag.texas.gov)>  
**Sent:** Thursday, January 2, 2025 9:00 AM  
**To:** Henk, Pete (SHB) <[PHENK@shb.com](mailto:PHENK@shb.com)>; Michelman, Scott (SHB) <[MMICHELMAN@shb.com](mailto:MMICHELMAN@shb.com)>;

Stamps Todd, Britta N. (SHB) <[BTODD@shb.com](mailto:BTODD@shb.com)>; Chaney, Tanya (SHB) <[tchaney@shb.com](mailto:tchaney@shb.com)>  
**Cc:** Karyn Meinke <[Karyn.Meinke@oag.texas.gov](mailto:Karyn.Meinke@oag.texas.gov)>; Judi Logan <[Judi.Logan@oag.texas.gov](mailto:Judi.Logan@oag.texas.gov)>; Lupita Rodriguez <[Lupita.Rodriguez@oag.texas.gov](mailto:Lupita.Rodriguez@oag.texas.gov)>  
**Subject:** RE: Texas v Sunrise, Cause No. D-1-GN-24-009589

**EXTERNAL**

Good morning Pete,

Just wanted to check in to see if there was a time this afternoon or tomorrow that we could speak on the phone. Thanks,

**Clay Watkins**

Assistant Attorney General  
Consumer Protection Division  
512.936.2042

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**From:** Clayton Watkins  
**Sent:** Tuesday, December 31, 2024 12:51 PM  
**To:** Henk, Pete (SHB) <[PHENK@shb.com](mailto:PHENK@shb.com)>; Michelman, Scott (SHB) <[MMICHELMAN@shb.com](mailto:MMICHELMAN@shb.com)>; Stamps Todd, Britta N. (SHB) <[BTODD@shb.com](mailto:BTODD@shb.com)>; Chaney, Tanya (SHB) <[tchaney@shb.com](mailto:tchaney@shb.com)>  
**Cc:** Karyn Meinke <[Karyn.Meinke@oag.texas.gov](mailto:Karyn.Meinke@oag.texas.gov)>; Judi Logan <[Judi.Logan@oag.texas.gov](mailto:Judi.Logan@oag.texas.gov)>; Lupita Rodriguez <[Lupita.Rodriguez@oag.texas.gov](mailto:Lupita.Rodriguez@oag.texas.gov)>  
**Subject:** RE: Texas v Sunrise, Cause No. D-1-GN-24-009589

Thanks for your message, Pete,

We submitted our announcement form today as we believe it is required. I understand your clients position that next week's hearing should not go forward, but we still must continue our preparations since our expectation is to have the T.I. hearing as scheduled. To that end, would you be interested in discussing an exchange of witness and exhibit lists ahead of the hearing?

Additionally, in advance of our to-be-scheduled call later this week, could you offer more insight into your earlier e-mail stating that "a threshold issue that should be addressed . . . is the fact that the requested relief would violate multiple laws and the U.S. and Texas Constitutions"? When we speak, I'd like to be able to have a meaningful conversation about that, and if you could elaborate then perhaps I could prepare.

Thanks,

**Clay Watkins**

Assistant Attorney General  
Consumer Protection Division

512.936.2042

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**From:** Henk, Pete (SHB) <[PHENK@shb.com](mailto:PHENK@shb.com)>

**Sent:** Tuesday, December 31, 2024 9:59 AM

**To:** Clayton Watkins <[Clayton.Watkins@oag.texas.gov](mailto:Clayton.Watkins@oag.texas.gov)>; Michelman, Scott (SHB) <[MMICHELMAN@shb.com](mailto:MMICHELMAN@shb.com)>; Stamps Todd, Britta N. (SHB) <[BTODD@shb.com](mailto:BTODD@shb.com)>; Chaney, Tanya (SHB) <[tchaney@shb.com](mailto:tchaney@shb.com)>

**Cc:** Karyn Meinke <[Karyn.Meinke@oag.texas.gov](mailto:Karyn.Meinke@oag.texas.gov)>; Judi Logan <[Judi.Logan@oag.texas.gov](mailto:Judi.Logan@oag.texas.gov)>; Lupita Rodriguez <[Lupita.Rodriguez@oag.texas.gov](mailto:Lupita.Rodriguez@oag.texas.gov)>

**Subject:** RE: Texas v Sunrise, Cause No. D-1-GN-24-009589

Good morning, Clay. We believe that tomorrow's holiday makes the form due Thursday, not today. If you want to talk Thursday afternoon rather than Friday, we can be available.

In any event, Defendants maintain that the form shouldn't be submitted because the hearing shouldn't happen.

Pete

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**From:** Clayton Watkins <[Clayton.Watkins@oag.texas.gov](mailto:Clayton.Watkins@oag.texas.gov)>

**Sent:** Monday, December 30, 2024 5:09 PM

**To:** Henk, Pete (SHB) <[PHENK@shb.com](mailto:PHENK@shb.com)>; Michelman, Scott (SHB) <[MMICHELMAN@shb.com](mailto:MMICHELMAN@shb.com)>; Stamps Todd, Britta N. (SHB) <[BTODD@shb.com](mailto:BTODD@shb.com)>; Chaney, Tanya (SHB) <[tchaney@shb.com](mailto:tchaney@shb.com)>

**Cc:** Karyn Meinke <[Karyn.Meinke@oag.texas.gov](mailto:Karyn.Meinke@oag.texas.gov)>; Judi Logan <[Judi.Logan@oag.texas.gov](mailto:Judi.Logan@oag.texas.gov)>; Lupita Rodriguez <[Lupita.Rodriguez@oag.texas.gov](mailto:Lupita.Rodriguez@oag.texas.gov)>

**Subject:** RE: Texas v Sunrise, Cause No. D-1-GN-24-009589

## EXTERNAL

Thanks for the response, Pete. I'm happy to talk on Friday, but I think we need to have at least a brief call tomorrow. We have to submit the announcement form by COB tomorrow, per Travis County's local rules (normally we would have until Wednesday, but the Court is closed on New Year's).

I apologize for the inconvenience, but I think if we can have even a quick call tomorrow it would be to everyone's benefit. My calendar opened up tomorrow, so I'm available anytime. Please let me know if you're able to hop on a quick call.

Thanks,

**Clay Watkins**

Assistant Attorney General  
Consumer Protection Division  
512.936.2042

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**From:** Henk, Pete (SHB) <[PHENK@shb.com](mailto:PHENK@shb.com)>  
**Sent:** Monday, December 30, 2024 2:34 PM  
**To:** Clayton Watkins <[Clayton.Watkins@oag.texas.gov](mailto:Clayton.Watkins@oag.texas.gov)>; Michelman, Scott (SHB) <[MMICHELMAN@shb.com](mailto:MMICHELMAN@shb.com)>; Stamps Todd, Britta N. (SHB) <[BTODD@shb.com](mailto:BTODD@shb.com)>; Chaney, Tanya (SHB) <[tchaney@shb.com](mailto:tchaney@shb.com)>  
**Cc:** Karyn Meinke <[Karyn.Meinke@oag.texas.gov](mailto:Karyn.Meinke@oag.texas.gov)>; Judi Logan <[Judi.Logan@oag.texas.gov](mailto:Judi.Logan@oag.texas.gov)>; Lupita Rodriguez <[Lupita.Rodriguez@oag.texas.gov](mailto:Lupita.Rodriguez@oag.texas.gov)>  
**Subject:** RE: Texas v Sunrise, Cause No. D-1-GN-24-009589

Hi, Clay. We believe that next week's hearing on your request for temporary injunctive relief should not proceed for two reasons. First, it was set without an agreement of the parties. Second, and more importantly, it would put the cart before the horse. The threshold issue that should be addressed in this case is the fact that the requested relief would violate multiple laws and the U.S. and Texas Constitutions.

We believe the parties will be in a better position to discuss this threshold issue on Friday afternoon. Does that work for you?

Pete

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**From:** Clayton Watkins <[Clayton.Watkins@oag.texas.gov](mailto:Clayton.Watkins@oag.texas.gov)>  
**Sent:** Monday, December 30, 2024 8:41 AM  
**To:** Henk, Pete (SHB) <[phenk@shb.com](mailto:phenk@shb.com)>; Michelman, Scott (SHB) <[mmichelman@shb.com](mailto:mmichelman@shb.com)>; Stamps Todd, Britta N. (SHB) <[btodd@shb.com](mailto:btodd@shb.com)>; Chaney, Tanya (SHB) <[tchaney@shb.com](mailto:tchaney@shb.com)>  
**Cc:** Karyn Meinke <[Karyn.Meinke@oag.texas.gov](mailto:Karyn.Meinke@oag.texas.gov)>; Judi Logan <[Judi.Logan@oag.texas.gov](mailto:Judi.Logan@oag.texas.gov)>; Lupita Rodriguez <[Lupita.Rodriguez@oag.texas.gov](mailto:Lupita.Rodriguez@oag.texas.gov)>  
**Subject:** Texas v Sunrise, Cause No. D-1-GN-24-009589

**EXTERNAL**

Good morning Mr. Henk,

My name is Clay Watkins and I represent the State of Texas in the above suit we filed in Travis

County. I was hoping we might have an opportunity to chat about next week's hearing. I'm available today between 11:30 and 2:30, and anytime after 4:00, or tomorrow any time after 1:00. Please let me know if there's a convenient time for a phone call.

Thanks,

**Clay Watkins**

Assistant Attorney General  
Consumer Protection Division  
512.936.2042

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